

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JEFFREY BROWN,)	CASE NO. 1:18CV192
)	
Plaintiff,)	JUDGE CHRISTOPHER A. BOYKO
)	
vs.)	
)	
CITY OF EAST CLEVELAND, et al.,)	<u>O R D E R</u>
)	
)	
Defendants.)	
)	

This Court has reviewed the Report and Recommendation (Doc.# 18) of Magistrate Judge Jonathan D. Greenberg recommending this matter be dismissed without prejudice for failure to prosecute, and that counsel for Defendant be sanctioned \$100. Plaintiff has not filed an objection. Defendant filed a Motion for Reconsideration (Doc #19), which was denied on August 17, 2018.

FED. R. CIV.P. 72(b) provides that objections to a Report and Recommendation must be filed within fourteen days after service, but Plaintiff has failed to timely file any such objections. Therefore, the Court must assume that Plaintiff is satisfied with the Magistrate Judge's recommendation. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), aff'd, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir.1981).

The Court has considered Defendant City of East Cleveland's Motion for Reconsideration as an Objection to the Report and Recommendation and found it to be meritless. Therefore, the Court adopts in part the Report and Recommendation (Doc.# 18), dismisses the case without prejudice for failure to prosecute and sanctions defense counsel for the City of East Cleveland \$250 for repeated failure to obey the Orders of the Court. Defense counsel falsely asserted that the Court failed to timely provide dial-in information for the telephonic CMC; has provided no explanation for failing to contact chambers or update her contact information in order to participate in the conference; and falsely asserts that Plaintiff had not been served and therefore counsel reasonably believed the conference would not go forward. Defense counsel's explanations are factually incorrect in an attempt to deliberately mislead the Court.

IT IS SO ORDERED.

Dated: 8/22/2018

S/Christopher A. Boyko
CHRISTOPHER A. BOYKO
UNITED STATES DISTRICT JUDGE